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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,016	06/28/2001	Jeffrey Scott Chase	RSW9-2001-0045-US1	4982
46270	7590	09/26/2008	EXAMINER	
(SAUL-RSW) PATENT DOCKETING CLERK IBM Corporation (SAUL-RSW) C/O Saul Ewing LLP Penn National Insurance Tower 2 North Second Street, 7th Floor Harrisburg, PA 17101			BOUTAH, ALINA A	
		ART UNIT	PAPER NUMBER	2143
		MAIL DATE	DELIVERY MODE	
		09/26/2008	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* JEFFREY SCOTT CHASE  
and RONALD P. DOYLE

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Application No. 09/894,016  
Technology Center 2100

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Mailed: September 26, 2008

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 15, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

Examiner Answer

The Examiner's Answer mailed July 27, 2007, does not fully comply with the requirements of 37 C.F.R. § 41.37. The following headings do not include all the requirements under these headings in accordance with MPEP § 1207.02:

*"Response to Argument."* A statement of whether the examiner disagrees with each of the contentions of appellant in the brief with respect to the issues presented and an explanation of the reasons for disagreement with any such contention. *The examiner must use headings and subheadings paralleling the headings and subheadings utilized in the appellant's brief.*

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner to:

- 1) submit a revised Examiner's Answer in accordance with the new rules effective September 13, 2004; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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